

MEETINGS TO DATE 31
NO. OF REGULARS 23
NO. OF SPECIALS 8

LANCASTER, NEW YORK
DECEMBER 2, 1991

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 2nd day of December 1991 at 8:00 P.M. and there were

PRESENT: RONALD A. CZAPLA, COUNCILMAN
ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
JOHN T. MILLER, COUNCILMAN
STANLEY JAY KEYSA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
BRUCE SHEARER, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
NICHOLAS LO CICERO, DEPUTY TOWN ATTORNEY
THOMAS E. FOWLER, CHIEF OF POLICE

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M., the Town Board held a Public Hearing to consider the establishment of proposed Sewer District No. 6 and the acquisition of such existing sewer system therein, and to hear all interested persons interested in the subject thereof.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROponents

NONE

COMMENTS

NONE

QUESTIONS ONLY

James Guenther

Gloria Kubicki

OPponents

NONE

ADDRESS

ADDRESS

562 Pavement Rd., Lancaster

15 Maple Dr., Bowmansville

ON MOTION BY COUNCILMAN CZAPLA, AND SECONDED BY COUNCILMAN KWAK AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:45 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

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THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town
Board, held on November 18, 1991 be and hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

December 2, 1991

File: R.MIN (P1)

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THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

RESOLUTION OF THE TOWN OF LANCASTER, NEW YORK,
ADOPTED DECEMBER 2, 1991, APPROVING THE
ESTABLISHMENT OF SEWER DISTRICT NO. 6, IN SAID
TOWN, AND THE ACQUISITION OF THE EXISTING
SEWER SYSTEM THEREIN, AND PROVIDING THAT SUCH
RESOLUTION SHALL BE SUBJECT TO PERMISSIVE
REFERENDUM.

Recitals

WHEREAS, the Town Board of the Town of Lancaster (herein called "Town Board" and "Town", respectively), in the County of Erie, New York, has heretofore caused Krehbiel Associates, Inc., Professional Engineers, competent engineers duly licensed by the State of New York, to prepare a general map, plan and report for the proposed establishment of Sewer District No. 6 (herein called "District"), in the Town, and the acquisition of the existing sewer system therein, consisting of the sewer lines running along Ward Road; which map, plan and report has been duly filed in the office of the Town Clerk of the Town for public inspection; and

WHEREAS, pursuant to the Order duly adopted on November 18, 1991, the Town Board determined to proceed with the proposed establishment of the District and the acquisition of such sewer system therein, and adopted an Order reciting a description of the boundaries of the District in a manner sufficient to identify the lands included therein as in a deed of conveyance, the fact that the improvements have already been constructed and are to be acquired, the maximum amount proposed to be expended for such

improvements, the method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection and specifying December 2, 1991, at 8:30 o'clock P.M. (Prevailing Time) as the time when, and the Town Hall, in the Town, as the place where, the Town Board would meet to consider the proposed establishment of the District and the acquisition of such sewer system therein, and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town Board in relation thereto, as may be required by Law; and

WHEREAS, certified copies of such Order were duly published and posted pursuant to the provisions of Article 12-A of the Town Law; and

WHEREAS, a Public Hearing in the matter was duly held by the Town Board on said 2nd day of December, 1991, commencing at 8:30 o'clock P.M. (Prevailing Time), at said Town Hall, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the proposed establishment of the District and the acquisition of the existing sewer system therein;

Now, therefore, upon the evidence adduced at such Public Hearing, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. It is hereby determined that:

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(a) the notice of Public Hearing was published and posted as required by Law, and is otherwise sufficient;

(b) all the property and property owners within the proposed District, hereinabove referred to in the recitals hereof, are benefited thereby;

(c) all the property and property owners benefited are included within the limits of the proposed District; and

(d) it is in the public interest to establish the District.

Section 2. The establishment of the District is hereby approved as hereinafter described and the existing sewer system shall be acquired as set forth in the said Order Calling the Public Hearing and the District shall be designated and known as Sewer District No. 6, in the Town of Lancaster, situate wholly outside of any incorporated village or city, and shall be bounded and described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie, State of New York, being part of Lot No. 12, Section 2, Township 11, Range 6 of the Holland Land Company's Survey, bounded and described as follows: BEGINNING at a point in the north line of Walden Avenue, 712.14 feet west of the east line of Lot 12; running thence northerly at an interior angle of $102^{\circ} 25'$, 1316.70 feet to a point 366.30 feet south of the north line of Lot 12; thence westerly parallel with the north line of Lot 12, 645.48 feet to the west line of Lot 12; thence southerly along the west line of Lot 12, 2064.46 feet to the north line of Walden Avenue; thence easterly along the north line of Walden Avenue, 648 feet to the point or place of beginning.

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Section 3. The said sewer system therein, as hereinabove described, is to be acquired by gift at no cost to the Town or the District, and the expense of the establishment and maintenance of District shall be paid by the levy and collection of special assessments upon the several lots and parcels of land within the District which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same.

Section 4. This resolution is subject to permissive referendum and the Town Clerk of the Town is hereby authorized and directed within ten (10) days after the adoption of this resolution, to cause to be published at least once in the "LANCASTER BEE", a newspaper published in Buffalo, New York, and hereby designated as the official newspaper of the Town for such publication, and posted on the sign board of the Town, a Notice which shall set forth an abstract of said foregoing resolution which shall be in substantially the following form:

TOWN OF LANCASTER, NEW YORK

PLEASE TAKE NOTICE that on December 2, 1991, the Town Board of the Town of Lancaster, in the County of Erie, New York, adopted a resolution entitled:

"Resolution of the Town of Lancaster, New York, adopted December 2, 1991, approving the establishment of Sewer District No. 6, in said Town, and the acquisition of the existing sewer system therein, and providing that such resolution shall be subject to permissive referendum,"

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: RECITING that the Town Board of the Town of Lancaster ("Town Board" and "Town", respectively), New York, has heretofore duly caused the preparation of a general map, plan and report relating to the proposed establishment of Sewer District No. 6 (the "District"), in the Town, and the acquisition of the existing water sewer system therein, consisting of the sewer lines running along Ward Road; which map, plan and report has been duly filed in the office of the Town Clerk of the Town for public inspection; that an Order was adopted on November 18, 1991, reciting a description of the boundaries of the proposed District in a manner sufficient to identify the lands included therein as in a deed of conveyance, the fact that the improvements have already been constructed and are to be acquired, the maximum amount proposed to be expended for such improvements, the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection, and specifying the time and place of a Public Hearing to hear all persons interested in the subject thereof concerning the same; that copies of such Order have been duly published and posted, and that such hearing has been duly held on December 2, 199, at the time and place specified;

SECOND: RESOLVING AND DETERMINING that (a) the notice of public hearing was published and posted as required by Law and is otherwise sufficient, (b) all the property and property owners within the proposed District are benefited thereby, (c) all the property and property owners benefited are included within the limits of the proposed District, and (d) that it is in the public interest to establish the District;

THIRD: FURTHER RESOLVING AND DETERMINING that the establishment of the District be approved, DESIGNATING such

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District as Sewer District No. 6, in the Town of Lancaster, and DESCRIBING the District by metes and bounds;

FOURTH: RESOLVING that the said sewer system therein, as hereinabove described, is to be acquired by gift at no cost to the Town or the District, and the expense of the establishment and maintenance of the District shall be paid by the assessment, levy and collection of special assessments upon the several lots and parcels of land within the District which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same;

FIFTH: STATING that this resolution is subject to permissive referendum.

The area included in the proposed District is bounded and described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie, State of New York, being part of Lot No. 12, Section 2, Township 11, Range 6 of the Holland Land Company's Survey, bounded and described as follows: BEGINNING at a point in the north line of Walden Avenue, 712.14 feet west of the east line of Lot 12; running thence northerly at an interior angle of $102^{\circ} 25'$, 1316.70 feet to a point 366.30 feet south of the north line of Lot 12; thence westerly parallel with the north line of Lot 12, 643.48 feet to the west line of Lot 12; thence southerly along the west line of Lot 12, 2064.46 feet to the north line of Walden Avenue; thence easterly along the north line of Walden Avenue, 648 feet to the point or place of beginning.

By order of the Town Board of the
Town of Lancaster, in the County of
Erie, New York.

Dated: December 2, 1991

Robert P. Thill
Town Clerk

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The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

December 2, 1991

32x1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster authorized a bond resolution for Phase II-A of Walden Pond Park, and

WHEREAS, screening on the north side of the project was contemplated as a part of this phase, and

WHEREAS, there remains under the beforementioned bond authorization availability of funds to use for the screening;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster complete the screening on the north side of the Walden Pond Park as contemplated in Phase II-A to be placed on the berm constructed as a part of that phase, said tree plantings to be comprised of Austrian Pines or other conifers as deemed advisable, and further that funding purchase of same be done with the funds remaining under the bond authorization for Phase II-A and that the Town purchase the trees under the contract awarded to Gleasons Nursery as the low bidder for tree plantings for the year 1991 as extended to cover this project, since it is deemed in the public interest to so extend the contract, or if the same price is not available that the Town advertise for bid for the beforementioned plantings, and the Town Board hereby authorizes the expenditure of funds from the remaining balance under the bond authorization for Phase II-A of Walden Pond Park not to exceed \$16,000.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

December 2, 1991

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Lighting Committee of the Town Board of the Town of Lancaster has requested, and the New York State Electric and Gas Corporation has submitted a proposal dated October 23, 1991, for replacement of street lighting on Como Park Boulevard within Consolidated Lighting District No. 1 of the Town of Lancaster, and

WHEREAS, the said Lighting Committee, after investigation, review and consideration has recommended acceptance of this proposal,

NOW, THEREFORE, BE IT

RESOLVED, that the New York State Electric and Gas Corporation be and is hereby authorized to make the following replacements on Como Park Boulevard:

Como Park Boulevard:

Install 2 - 8500 lumen HPS lamps @ \$111.54 ea. \$223.08
Install 2 - 20 ft. brackets @ \$22.97 ea. 45.94
Poles - 112 & 114, Line 415

These lights are being installed to replace two lights previously removed to allow for road job.

TOTAL ANNUAL INCREASE - \$269.02

and,

BE IT FURTHER

RESOLVED, that this proposal is made contingent upon the terms and conditions covered in New York State Electric and Gas Corp.'s street lighting filed tariff agreements with the Town of Lancaster, District No. 1.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

December 2, 1991
File: R.LGHTING (P2)

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster, under the authority of the Municipal Home Rule Law, Article 2, Section 10, has previously caused the imposition of an impact fee on building permits for the purpose of acquiring funds for the purchase of conservation areas, and

WHEREAS, after review and consideration, the Town Board deems it to be in the public interest to designate the funds so collected as a reserve fund to assure their proper use;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby designates the funds which have been collected on building permits as an impact fee for conservation areas now held in a Trust and Agency Account as a reserve fund for the express purpose of acquiring areas within the Town of Lancaster for conservation use and further that interest earned and accrued on these funds similarly be held in this reserve fund and that all fees collected in the future under this impact fee on building permits be deposited into the reserve fund created herein.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYS VOTED YES

December 2, 1991

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the New York State Department of Transportation proposes the improvement of (1) Transit Road over Slate Bottom Creek (PIN 5209.27); (2) Transit Road in front of the new Tops Market; and (3) Transit Road at the intersection of Genesee Street (PIN 5209.25); in the Town of Lancaster, New York, and

WHEREAS, the State will include, as part of the improvement project for the above mentioned state highway, the construction of sidewalks, pursuant to Section 10, Subdivision 22, Section 46, or Section 349-C of the Highway Law, as shown on the contract plans relating to the aforementioned projects;

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Lancaster approves of the sidewalks shown on the contract plans relating to the above projects and that the Town of Lancaster will maintain or cause to be maintained the sidewalks constructed as above stated and as shown on the contract plans; and

BE IT FURTHER

RESOLVED, that the Town Clerk is hereby directed to transmit five (5) certified copies of the foregoing resolution to the State Department of Transportation.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

December 2, 1991

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THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, Erie County has provided state funds to municipalities to provide youth service and recreation programs since 1978, and

WHEREAS, the provision of those funds is a critical component of the County-wide Comprehensive Plan for Youth Services, and

WHEREAS, the proposed 1992 Erie County Budget eliminates county rollover of State funds to municipalities for youth service and recreation programs resulting in a decrease of funding for all municipal governments while Erie County reaps an increase in state funding;

NOW, THEREFORE, BE IT

RESOLVED, that the Lancaster Town Board hereby asks the Erie County Legislature to continue the practice of providing State funds to local municipalities for youth service and recreation programs and to restore the funds that have been cut from municipal allocations of rollover dollars to 1991 levels minus the 10% loss of state aid Erie County will suffer, and

BE IT FURTHER,

RESOLVED, that the Town Clerk of the Town of Lancaster be and is hereby directed to furnish a certified copy of this resolution to our two (2) Erie County Legislators, the Erie County, the Erie County Executive and all town supervisors and mayors in the county's towns, cities and villages.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPIA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

December 2, 1991

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PREFILED RESOLUTION NO. 8 - MEETING OF 12/2/91

Kwak/_____ Approve Site Plan - "Beth Corners"

At the request of Councilman Kwak, this resolution was withdrawn for further study.

File: R.WITHDRAWN

12X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Foreman of the Buildings and Maintenance Section of the Town Lancaster has requested the purchase of One New 1991 or Newer 4-Wheel Drive 3/4-Ton Pick-up Truck for the use of the Buildings and Maintenance Section of the Town,, and

WHEREAS, the Buildings Committee of the Town Board recommends that such purchase be authorized;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That bids be received by this Town Clerk on the 16th day of December, 1991 at 10:30 o'clock A.M., Local Time, for furnishing to the Buildings and Maintenance Section of the Town of Lancaster, One (1) New 1991 or Newer, 4-Wheel Drive 3/4-Ton Pick-up Truck for the use of the Buildings and Maintenance Section in accordance with specifications on file in the Town Clerk's Office,

2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee and post Notices thereof as required by Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

December 2, 1991

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LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that sealed Bids will be received by the Town Board of the Town of Lancaster, Erie County, New York, in the Council Chamber of the Town Hall, 21 Central Avenue, Lancaster, New York, up to 10:30 o'clock A.M., Local Time, on the 16th day of December, 1991, for the purpose of furnishing to the Buildings and Maintenance Section of the Town of Lancaster One (1) New and Unused 1991 or Newer, 4-Wheel Drive 3/4-Ton Pick-up Truck in accordance with specifications on file in the Town Clerk's office in the Town Hall.

A certified check or bid bond in the amount of \$250.00, payable to the Supervisor of the Town of Lancaster, and a non-collusive bidding certificate must accompany each bid.

The Board reserves the right to reject any or all bids and to waive any informalities.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

December 2, 1991

File:R.Not.Bdrs.pkup.Trk.Bldgs.

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THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has previously approved a bond resolution for the purpose of funding the Town of Lancaster's share of the start up expenses of NOREC, and

WHEREAS, with the advent of certain municipalities withdrawing from NOREC, the remaining municipalities have determined that they are unable to continue with the municipal recycling plant as planned under NOREC,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby rescinds the bond authorization adopted by the Town Board by resolution dated September 16, 1991.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

December 2, 1991

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, Section 467 of the Real Property Tax Law of the State of New York permits exemption from real property taxation on a graduated scale for total income from Fifteen Thousand Dollars (\$15,000.) to a total not exceeding Nineteen Thousand Eight Hundred Dollars (\$19,800.), and

WHEREAS, the State Legislature has now provided by legislation a new sliding scale which will grant further relief to Senior Citizens, and

WHEREAS, the Town Board of the Town of Lancaster has previously adopted a resolution implementing the graduated scale for qualifying senior citizens, and

WHEREAS, the increase in income eligibility for town taxes will place no particular burden on the taxpaying public, but will materially improve the economic ability of our senior citizens in coping with the ravages of inflation while living on a fixed retirement income in their declining years, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to adopt and enact said exemption from real property taxation on said graduated scale;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 467 of the Real Property Tax Law of the State of New York, a Public Hearing on the enactment by resolution of a senior citizens tax exemption will be held on the 16th day of December, 1991, at 8:10 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, and that a Notice of the time and place of such hearing shall be published in the Lancaster Bee, the Official Newspaper, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

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The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

December 2, 1991

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LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

NOTICE IS HEREBY GIVEN, that pursuant to Section 467 of the Real Property Tax Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 2nd day of December, 1991, the said Town Board will hold a Public Hearing on the 16th day of December, 1991, at 8:10 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, upon the resolution authorizing Senior Citizens Tax Exemption, as follows:

SENIOR CITIZENS TAX EXEMPTION

1. Exemption granted.

Real property owned by one (1) or more persons, each of whom is sixty-five years of age or over, or real property owned by husband and wife, one (1) of whom is sixty-five (65) years of age or over, shall be exempt from taxation by the Town of Lancaster to the extent as provided in the following schedule:

<u>ANNUAL INCOME</u>	<u>PERCENTAGE ASSESSED VALUATION EXEMPT FROM TAXATION</u>
Not More than \$15,000.	50 per centum
More than \$15,000. but Less than \$15,600.	45 per centum
More than \$15,600. but Less than \$16,200.	40 per centum
More than \$16,200. but Less than \$16,800.	35 per centum
More than \$16,800. but Less than \$17,400.	30 per centum
More than \$17,400. but Less than \$18,000	25 per centum
More than \$18,000. but Less than \$18,600	20 per centum
More than \$18,600. but Less than \$19,200	15 per centum
More than \$19,200. but Less than \$19,800.00.	10 per centum

2. Exceptions; application; penalties for offenses.

A. No exemption shall be granted:

1. If the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of the maximum income exemption eligibility level for the granting of a

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partial exemption from real property taxation as provided in Paragraph(a) of Subdivision Three of Section Four Hundred Sixty-seven of the Real Property Tax Law of the State of New York, plus an amount not to exceed two thousand nine hundred ninety-nine cents, and consistent with the schedule provided for in subdivision one (1) hereof. Income tax year shall mean the twelve month period for which the owner or owners filed a Federal Personal Income Tax Return, or if no such return is filed, the calendar year, where title is vested in either the husband or the wife, their combined income may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings and net income from self-employment but shall not include a return of capital, gifts or inheritances. In computing net rental income and net income from self-employment, no depreciation or deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income;

2. Unless the title of the property shall have been vested in the Owner or one of the owners of the property for at least twenty-four consecutive months prior to the date of making application for exemption, provide, however, that in the event of the death of either a husband or wife in name title of the property shall have been vested at the time of death and then becomes vested solely in the survivor by virtue of devise by or descent from the deceased husband or wife, the time of ownership of the property by the deceased husband or wife shall be deemed also a time of ownership by the survivor and such ownership shall be deemed continuous for the purposes of computing such period of twenty-four consecutive months, provided further, that in the event of a transfer by either husband or wife to the other spouse of all or part of the title to the property the time of ownership of the property by the transferor spouse shall be deemed also a time of ownership by the transferee spouse and such ownership shall be deemed continuous for the purposes of computing such period of twenty-four consecutive months and provided further that where property of the owner or owners has been acquired to replace property formerly owned by such owner or owners and taken by eminent domain or other involuntary proceeding, except a tax sale, the period of ownership of the former property shall be combined with the period of ownership of the property for which application is made for exemption and such periods of ownership shall be deemed to be consecutive purposes of this section. Where a residence is sold and replaced with another within one year and is in the same assessing unit or municipality, the period of ownership of the former property shall be combined with the period of ownership of the replacement residence and deemed consecutive for exemption from taxation by each such assessing unit or municipality, provided, however, that where the replacement property is in the same assessing unit, but another school district, the periods of ownership of both properties shall also be deemed consecutive for purposes of the exemption from taxation by such school district. Notwithstanding any other provision of law, where a residence is sold and replaced with another within one year and both residences are within the state, the period of ownership of both properties shall be deemed consecutive for purposes of the exemption from taxation by a municipality within the state granting such exemption.
3. Unless the property is used exclusively for residential purposes.

4. Unless the real property is the legal residence of and is occupied in whole or in part by the owner or by all of the owners of the property.

B. Application for such exemption must be made by the owner or all of the owners of the property on forms to be furnished by the Town Assessor's Office, and such application shall furnish the information and be executed in the manner required or prescribed in such forms and shall be filed in such Assessor's Office on or before the appropriate taxable status date.

C. Any conviction of having made any willfully false statement in the application for such exemption shall be punishable by a fine of not more than one hundred dollars (\$100.) and shall disqualify the applicant or applicants from further exemption for a period of five (5) years.

3. When effective.

This Resolution shall be effective immediately.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

December 2, 1991

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

Claim No. 22694 to Claim No. 22835 Inclusive.

Total Amount hereby authorized to be paid:

\$449,782.00

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

December 2, 1991

File: R.CLAIMS

32x1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA, TO WIT:

RESOLVED, that the following Building Permit Applications be and are hereby approved and the issuance of these Building Permits be and are hereby authorized:

CODES:

- (T) = Tree Planting Fee tendered to the Town of Lancaster pursuant to the provisions of Chapter 30-26 of the Code of the Town of Lancaster.
- (SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster.
- (CSW) = Conditional sidewalk waiver.

NO.	CODE	NAME	ADDRESS	STRUCTURE
604		Wood-N-Rainbow, Inc.	21 Pavement Rd	ER. SIGN
619		Paul Pazderski	62 Pheasant Run La	INST. FIREPLACE
620		Wayne Hendel	26 Fieldstone La	INST. FIRE PLACE
621		Lancaster Home Improve	75 Stutzman Rd	ER. FENCE
622		Advision Inc.	370 Central Ave	ER. SIGN
623		Advision Inc.	4779 Transit Rd	ER. SIGN
624		Thomas Bobak	3733 Bowen Rd	INSTALL FIREPLACE
625		Marrano Develop.Corp	108-114 Northwood Dr	ER. TOWNHOUSES
626 (T)		Iona Associates Inc	30 Southpoint Dr	ER. SIN. DWLG
627		Guenter Burkhardt	5960 Broadway	ER. RETAIL STORE

and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CAW) for conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the condition that the Town of Lancaster, at any future date, has the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

December 2, 1991

15 X 1

32 X 1

Councilman Czaplá requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has previously advertised for bids for the furnishing to the Police Department of the Town of Lancaster, New York, One (1) new 1991 Police Car in accordance with specifications on file with the Town Clerk of the Town of Lancaster, and

WHEREAS, said bids were duly opened December 2, 1991, and

WHEREAS, FLANIGAN CHEVROLET, 27 Main Street, North Tonawanda, New York 14120, has submitted the lowest responsible net bid in the amount of \$10,249.00 (\$13,049 less trade of \$2,800.), which includes trade-in allowance without extended maintenance plan for a 1991 police vehicle, and

WHEREAS, the Chief of Police of the Town of Lancaster has recommended the purchase of One (1) New 1991 Police Car without the extended maintenance plan at \$10,249.00, net after trade.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the purchase of One (1) New 1991 Police Car from FLANIGAN CHEVROLET, 27 Main Street, North Tonawanda, New York 14120 being the lowest responsible bidder, without extended maintenance plan, in the amount of \$10,249.00, which includes trade-in allowance; and

BE IT FURTHER

RESOLVED, that the Town Board authorizes the trade-in of One (1) 1983 Jeep Suburban; and that an order for such 1991 automobile is hereby authorized to be placed by the Chief of Police and that delivery be made not later than thirty (30) days after date of order.

32X1

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

December 2, 1991

File: R.Awrd.Bds.Pol.Crs.2

32X1

Councilman Miller requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the owner of 5117 Transit Road has advised the Town Board that the said premises have not been occupied since May 15, 1991 and the property is commercial in nature, to wit: a gas station, and

WHEREAS, the owner has advised that she no longer wishes refuse collection services at the site and has requested a partial refund of her Refuse District taxes, and

WHEREAS, the Town Board has reviewed this matter;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes a refund of one-half of the Refuse District taxes to LOTTIE DOMINO, the owner of 5117 Transit Road, based upon the facts and circumstances of this property relating to refuse collection.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

December 2, 1991

32X1

Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, CYNTHIA KELLY has applied for a Special Use Permit to operate a dog grooming salon at 16 Rollingwood Drive, Town of Lancaster, and

WHEREAS, the Town Board held a public hearing on the issuance of such a permit and has given due consideration to the application;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby denies the application for a Special Use Permit to operate a dog grooming salon at 16 Rollingwood Drive as submitted by the applicant, for the following reasons:

1. Traffic generated would not be conducive to residential neighborhood;
2. Type of business is not that which residents of neighborhood expected when building or moving into neighborhood;
3. Other areas of town of a commercial nature where this operation could be situated; and
4. Not a home occupation which can be accomplished without possible disruption of neighborhood.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

December 2, 1991

32x1

STATUS REPORT ON UNFINISHED BUSINESS:

1. Detention Basin - Milton Drive
On September 3, 1991 the Town Board authorized the Supervisor to enter into an agreement with the Village of Lancaster for this remedial work. On October 7, 1991, the Town Board adopted a \$300,000.00 bond resolution to fund this project.
2. Dumping Permit - Dennis D'Andres
On November 4, 1991, this matter was referred to the Town Engineer and Building Inspector for review and recommendation.
3. Dumping Permit - Diamond "D" Construction, Corp.
On May 2, 1991, this matter was referred to the Town Engineer and Building Inspector for review and recommendation.
4. Dumping Permit - David B. Ignasiak
On September 10, 1991, this matter was referred to the Town Engineer and the Building Inspector for review and recommendation.
5. Dumping Permit - David C. Kral
On January 25, 1991, this matter was referred to the Town Engineer and Building Inspector for review and recommendation.
6. Dumping Permit - Walter Mikowski
On March 14, 1990, this matter was referred to the Town Engineer and Building Inspector for review and recommendation.
7. Dumping Permit - Edward/Marcia Myszka
On July 3, 1991, this matter was referred to the Town Engineer and Building Inspector for review and recommendation.
8. Dumping Permit - Gregory ZaFarakis
On November 19, 1990, this matter was referred to the Town Engineer and Building Inspector for review and recommendation.
9. Public Improvement Permit Authorization - Deer Cross Subdivision, Phase I (Donato) Outstanding Items Only.

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

10. Public Improvement Permit Authorization - Deer Cross Subdivision, Phase II (Donato)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	No	No	n/a	Yes
Pavement and Curbs	Yes	No	No	Yes	Yes
Storm Sewers	Yes	No	No	n/a	Yes
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

32X1

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)11. Public Improvement Permit Authorization - Foreststream Village Subdivision, Phase I (DiLapo) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Floodway Grading	Yes	No	No	No	n/a
Street Lights	Yes	No	No	n/a	No

12. Public Improvement Permit Authorization - Foreststream Village Subdivision, Phase II (DiLapo) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Floodway (S. Br.)	Yes	No	No	No	n/a
Street Lights	Yes	No	No	n/a	No

13. Public Improvement Permit Authorization - Foreststream Village Subdivision, Phase III (DiLapo)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	Yes	Yes	n/a	No
Pavement and Curbs	Yes	Yes	Yes	***	No
Storm Sewers	Yes	Yes	Yes	n/a	No
Street Lights	Yes	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

*** Deed received but not yet filed

14. Public Improvement Permit Authorization - Grafton Park Subdivision (Donato Developers)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	No	No	n/a	No
Pavement and Curbs	Yes	No	No	No	No
Storm Sewers	No	No	No	n/a	No
Detention Basin	Yes	No	No	No	n/a
Street Lights	Yes	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

15. Public Improvement Permit Authorization - Hidden Hollow Subdivision, (Paul M. Dombrowski)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	Yes	No	n/a	No
Pavement and Curbs	Yes	Yes	No	No	No
Storm Sewers	Yes	Yes	No	n/a	No
Street Lights	Yes	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

16. Public Improvement Permit Authorization - Hillview Estates Subdivision Phase I (Hillview Development)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	No	No	n/a	No
Pavement and Curbs	Yes	No	No	No	No
Storm Sewers	Yes	No	No	n/a	No
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

32X1

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)17. Public Improvement Permit Authorization - Indian Pine Village Subdivision Phase I (Fischione Const., Inc.) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Street Lights	Yes	No	No	n/a	No

18. Public Improvement Permit Authorization - Indian Pine Village Subdivision Phase II (Fischione Construction))

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	No	No	n/a	No
Pavement and Curbs	Yes	No	No	No	No
Storm Sewers	Yes	No	No	n/a	No
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

19. Public Improvement Permit Authorization - Lake Forest Subdivision, Phase I (Dana Warman) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Street Lights	Yes	Yes	Yes	n/a	No

20. Public Improvement Permit Authorization - Larkspur Acres Subdivision, (Andrusz & Schmid Dev.)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	Yes	No	n/a	No
Pavement and Curbs	Yes	Yes	No	No	No
Storm Sewers	Yes	Yes	No	n/a	No
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

21. Public Improvement Permit Authorization - Liberty Square Subdivision (Dana Warman)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	Yes	Yes	n/a	No
Pavement and Curbs	Yes	Yes	Yes	Yes	No
Storm Sewers	Yes	Yes	Yes	n/a	No
Detention Basin	Yes	No	No	n/a	No
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

22. Public Improvement Permit Authorization - Meadowlands Subdivision (Bosse) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Street Lights	Yes	Yes	Yes	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

32X1

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)23. Public Improvement Permit Authorization - The Meadows Subdivision
(Giallanza) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Street Lights	Yes	No	No	n/a	No

24. Public Improvement Permit Authorization - Pine Tree Farm, Phase I
(Josela - East off Aurora Street) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Pavement and Curbs	Yes	Yes	Yes	*	Yes
Detention Basin	Yes	No	No	No	n/a

* Deed received but not yet recorded.

25. Public Improvement Permit Authorization - Pine Tree Farm, Phase II
(Josela - East off Aurora Street) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Pavement and Curbs	Yes	Yes	Yes	No	Yes

26. Public Improvement Permit Authorization - Southpoint Subdivision, Phase I
(Josela) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
E. Detention Pond	Yes	No	No	No	n/a
W. Detention Pond	Yes	No	No	No	n/a
Sidewalks	No	n/a	n/a	n/a	n/a

27. Public Improvement Permit Authorization - Stony Brook, Phase I
(Marrano)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	Yes	Yes	n/a	Yes
Pavement & Curbs	Yes	Yes	Yes	*	Yes
Storm Sewers	Yes	Yes	Yes	n/a	Yes
Detention Area 1	Yes	No	No	No	n/a
Detention Area 2	Yes	No	No	No	n/a
Street Lights	Yes	Yes	Yes	n/a	Yes
Sidewalks	Yes	n/a	n/a	n/a	n/a

* Deed received but not yet filed.

28. Public Improvement Permit Authorization - Stony Brook, Phase II
(Marrano)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	Yes	No	n/a	
Pavement & Curbs	Yes	Yes	No	***	
Storm Sewers	Yes	Yes	No	n/a	
Detention Area	Yes	No	No	No	n/a
Street Lights	Yes	No	No	n/a	No
Sidewalks	Yes	n/a	n/a	n/a	n/a

*** Deed received but not yet filed

32X1

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)29. Public Improvement Permit Authorization - Stony Brook, Phase III
(Marrano)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Pond	Yes	No	No	No	n/a

30. Public Improvement Permit Authorization - Warnerview Estates, Phase I
(Donato) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Street Lights	Yes	No	No	n/a	No

31. Public Improvement Permit Authorization - Warnerview Estates, Phase II
(Donato)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	Yes	Yes	n/a	No
Pavement and Curbs	Yes	Yes	Yes	Yes	No
Storm Sewers	Yes	Yes	Yes	n/a	No
Detention Basin	n/a	n/a	n/a	n/a	n/a
Street Lights	Yes	No	No	n/a	No
Sidewalks	Yes	n/a	n/a	n/a	n/a

32. Public Improvement Permit Authorization - Willow Ridge Subdivision
(Cimato Bros.) Outstanding Items Only:

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Detention Basin	Yes	No	No	No	n/a
Street Lights	Yes	No	No	n/a	No
Sidewalks	Yes	n/a	n/a	n/a	n/a

33. Public Improvement Permit Authorization - Windsor Ridge Subdivision, Phase I (M. J. Peterson)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>	<u>DEEDS</u>	<u>BILLS OF SALE</u>
Water Line	Yes	No	Yes	n/a	No
Pavement and Curbs	Yes	No	Yes	No	No
Storm Sewers	Yes	No	Yes	n/a	No
Detention Basin	Yes	No	No	No	n/a
Street Lights	No	No	No	n/a	No
Sidewalks	No	n/a	n/a	n/a	n/a

34. Rezone Petition - Fox Valley Estates

On November 19, 1991, this matter was referred to the Planning Board for review and recommendation.

35. Special Use Permit - Cynthia A. Kelley

On October 10, 1991, this matter was referred to the Planning Board for review and recommendation. On November 4, 1991 the Town Board set a Public Hearing on this matter for November 18, 1991. On November 18, 1991 the Town Board held a Public Hearing on this matter and reserved decision. On December 2, 1991 the Town Board denied this request. The Town Clerk was directed to remove this item from future Town Board agendas.

25 X 1

32 X 1

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)

36. State Contract Grant - 40 Clark Street Museum.
Application for grant has been filed.
37. Subdivision Approval - Bowen Road Square (Off Bowen Road)
On August 30, 1990 the developer tendered to the Town Clerk a subdivision filing fee of \$1,135.00. On August 1, 1990 the Planning Board approved the preliminary plat for this development subject to three conditions. On January 22, 1991 the Municipal Review Committee tabled their SEQR Review decision pending receipt of additional data from the petitioner.
38. Subdivision Approval - Coventry Green Townhouse (Off Transit Road)
On October 10, 1990 the developer tendered to the Town Clerk an Application for Approval of Subdivision Preliminary Plat Plan along with a filing fee of \$1,150.00. On July 11, 1990, the Planning Board approved the sketch plan for this development under the name of "Meadow Wood Townhouses" which was subsequently changed to "Coventry Green Townhouses". On January 22, 1991, the Municipal Review Committee adopted a Negative SEQR Declaration on this matter. On February 6, 1991 the Planning Board approved the Preliminary Plat Plan subject to revisions to drainage, grading and paving plans. On April 2, 1991 the developer filed a final plat with the Building Inspector for review and distribution to the Town Board. On May 6, 1991, the Town Board approved the final plat for this development and authorized the filing of a map cover in the Erie County Clerk's office. On June 3, 1991, the developer filed seven linens of the final plat with the Town Clerk. The Town Clerk is presently awaiting verification of the linen final plat from the Supervisor, Building Inspector, and Chief of Police. On August 5, 1991, the Town Board re-approved this map cover because it was not timely filed within 60 days of the May 6, 1991 Town Board approval. This item remains on agenda until map cover is filed.
39. Subdivision Approval - The Crossings (Off Erie St.)
On June 5, 1989, the developer tendered to the Town Clerk a subdivision filing fee of \$590.00. On October 7, 1991, the Municipal Review Committee adopted a Negative SEQR Declaration on this matter. On December 2, 1991 the Building Inspector transmitted an application for sketch plan approval to the Planning Board for review.
40. Subdivision Approval - East Brook Estates (Off Bowen Road)
This matter awaits formal filing with the Town Clerk. No engineering review fee has been received.
41. Subdivision Approval - Golfe Creek Town Homes (formerly Country Club Commons) (Townhouses - Off Broadway West of the Lancaster Country Club)
On July 9, 1990, the Municipal Review Committee adopted a Negative SEQR Declaration on this matter. On October 24, 1990, the Building Inspector transmitted an Application for Sketch Plan Approval to the Planning Board for review. On November 7, 1990, the Planning Board approved the sketch plan for this development. On November 21, 1990, the developer tendered to the Town Clerk an Application for Approval of Subdivision Preliminary Plat Plan along with a filing fee of \$1090.00. On November 28, 1990 the Planning Board approved the Preliminary Plat Plan. On February 1, 1991 the developer filed a final plat with the Building Inspector for review and distribution to the Town Board. On February 11, 1991 the Town Attorney notified the developer that the final plat was not sufficient. On June 17, 1991, the Town Board approved the final plat for this development and authorized the filing of a map cover in the Erie County Clerk's Office. On August 19, 1991, the Town Board approved a name change for this project to Golfe Creek Town Homes and authorized the filing of a map cover in the Erie County Clerk's office under that name. This item remains on the agenda until the map cover is filed.

25 X1

32X1

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)

42. Subdivision Approval - Grafton Park Subdivision (Broadway and Steinfeldt)
On September 5, 1990, an application for sketch plan approval was filed with the Building Inspector and distributed to various reviewers. On September 19, 1990, the Planning Board approved the sketch plan for this subdivision. On February 14, 1991, an application for preliminary plat approval was filed with the Town Clerk and referred to the Building Inspector for distribution to various reviewers. On February 14, 1991, a \$1,060.00 subdivision filing fee was received by the Town Clerk. On February 27, 1991, a revised preliminary plat was filed with the Town Clerk and referred to the Building Inspector for distribution to various reviewers. On March 6, 1991, the Planning Board approved the preliminary plat with conditions that must be incorporated into the final plat. On May 6, 1991, the SEQR Municipal Review Committee adopted a negative declaration. On June 17, 1991, the Town Board approved the final plat for this development and authorized the filing of a map cover in the Erie County Clerk's Office. On September 3, 1991 the Town Board re-approved this final plat with new verbiage to be included on the map cover. This item remains on agenda until map cover is filed. On November 18, 1991 the Town Board re-approved this final plat. This item remains on the agenda until the map cover is filed.
43. Subdivision Approval - Indian Pine Village, Phase II
On October 9, 1990, an Application for Sketch Plan Approval was filed with the Building Inspector and referred to the Planning Board for review. On May 7, 1991, the developer filed a final plat with the Building Inspector for review and distribution to the Town Board. On May 15, 1991, the Planning Board approved the final plat as a sketch plan and directed the developer to proceed with a revised final plat incorporating a redesign of the detention area. On May 22, 1991, the Town Engineer approved engineering plans. On June 13, 1991, at a special Planning Board Review, as requested by the Town Board, the Planning Board rectified their approval of May 15, 1991. On August 5, 1991, the Town Board approved the final plat for this development and authorized the filing of a map cover in the Erie County Clerk's office. This item remains on agenda until map cover is filed. On October 7, 1991, the Town Board re-approved a revised map cover with a twenty (20) feet rather than fifteen (15) feet sewer easement.
44. Subdivision Approval - Lake Forest South (Off Lake Avenue)
On March 19, 1991, the Town Board approved the final plat for this subdivision and authorized the filing of a map cover in the Erie County Clerk's Office. This item remains on agenda until map cover is filed.
45. Subdivision Approval - Parkedge (Off William Street)
On October 18, 1989, the Planning Board approved the sketch plan for this project. On March 6, 1991, an application for preliminary plat approval was filed with the Town Clerk and referred to the Building Inspector for distribution to various reviewers. On March 6, 1991, a \$1285.00 subdivision filing fee was received by the Town Clerk. On May 6, 1991, the SEQR Municipal Review Committee adopted a negative declaration.
46. Subdivision Approval - Stony Brook Subdivision, Phase III (South Side of Pleasant View Drive)
Sketch Plan approval and SEQR Review was accomplished for the entire subdivision with Phase I approvals. On June 10, 1991, an application for preliminary plat approval plus a \$1255.00 review fee was filed with the Town Clerk. On June 11, 1991, the preliminary plat plan was distributed by the Building Inspector to various reviewers. On June 19, 1991, the Planning Board approved the preliminary plat noting that all stub streets in Phase III must be paved immediately after layout approval.

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D)

47. Subdivision Approval - Towne Square Townhouses (Broadway east of Bowen)
This project was in the process of approval prior to adoption of the current zoning ordinance and is therefore a grandfathered project. On July 9, 1990, the Municipal Review Committee adopted a SEQR Negative Declaration on this project. On January 16, 1991, the Planning Board recommended approval of the project subject to the Town Board's resolution of three Planning Board concerns. On June 17, 1991, the Town Board approved the final plat for this development and authorized the filing of a map cover in the Erie County Clerk's office.
48. Subdivision Approval - Thruway Industrial Park (Off Gunville Rd.)
On October 4, 1989, the Planning Board approved the site plan for this subdivision. On October 13, 1989, the developer tendered to the Town Clerk a subdivision filing fee of \$415.00. On August 6, 1990, the Town Board adopted a SEQR negative declaration on this matter.
49. Subdivision Approval - Woodgate (Josela - Off Aurora St.)
On August 1, 1989, the developer tendered to the Town Clerk a subdivision filing fee of \$1350.00. On September 6, 1989, the Planning Board approved a sketch plan for this subdivision. On November 20, 1989, a SEQR negative declaration was adopted. On April 3, 1991 the Building Inspector transmitted to the Town Board a revised preliminary plat showing the U.S. Corps of Engineers wetlands within the project. On June 19, 1991, the Planning Board approved the revised preliminary plat.

PERSONS ADDRESSING THE TOWN BOARD:

Gloria Kubicki, 15 Maple Drive, spoke to the Town Board about the original cost participation of the various original subscribers the NOREC concept.

Joseph Juscak, 600 Pleasant View Drive, spoke to the Town Board about the extension of sewers a few years back on the north side of Pleasant View Drive east and west of Stony Road.

Greg Heidenreich, 42 Fox Chapel Drive, Orchard Park spoke to the Town Board about constructing a home on the last lot on Enchanted Forest North within Forestream Subdivision, namely sub lot number 23. Since snow plowing operations hinder access to this lot special arrangements must be made prior to building a home on these premises.

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COMMUNICATIONSDISPOSITION

1220. Town Assessor to Argus Drive Resident - Comments re: assessment on said property.	R & F
1221. Town Assessor to Chief Tax Clerk, Erie County - Transmittal of tax letters to various property owners for omitted taxes.	R & F
1222. Town Attorney to D. Chiarolanza, Attorney - Comments re: Stonybrook Subdivision.	R & F
1223. Krehbiel Associates to Town Board - Notification to Town of financial interest in proposed development designated Fox Valley Estates and Peppermint Farms by principals in Krehbiel Associates.	R & F
1224. Police Chief to Town Clerk - Comments re: application for a 1992 license to conduct the sale of used cars for W. Kornacki.	BUILDING INSPECTOR
1225. Police Chief to Town Clerk - Comments re: application for a 1992 license to operate an auto wrecking yard for A.J.'s Auto Wrecking.	BUILDING INSPECTOR
1226. Twin District Vol. Fire Co. to Town Clerk - Addition to Fire Department S. Kubicki.	TOWN CLERK FOR RESOLUTION
1227. Town Assessor to Josela Enterprises - Explanation of tax notice on Running Brook Drive property.	R & F
1228. Town Assessor to T.W. Lorentz - Review of current assessment on Penora Street property.	R & F
1229. Community Blue to Supervisor - Information on new program starting 1/1/92.	R & F
1230. Erie County Department of Public Works to Project Manager - Comments re: sidewalks on Como Park Blvd.	R & F
1231. Amherst Town Clerk to various town officials - Notification of public hearing on proposed ordinance amendment re: fees on 12/2/91.	R & F
1232. Recreation Commission Chairman to Town Board - Salary schedules for persons working for for Senior Citizens Program for 1992.	R & F
1233. Erie County Department of Health to Town Board - Transmittal of approval of completed work on Walden Pond Park Project.	R & F
1234. Supervisor to various town and village officials Comments re: town disaster plan review.	SUPERVISOR
1235. Krehbiel Associates to Town Board - Letter of transmittal on design documentation for culvert under Genesee Street at Schmidt's Garage.	R & F
1236. Town Clerk to Planning Board Chairman - Transmittal of rezone petition for Fox Valley Estates.	R & F
1237. Town Clerk to Town Attorney - Data re: 1992 excavating permits.	TOWN ATTORNEY
1238. Building Inspector to Town Board - Comments re: application for Dumping Permit for Dennis D'Andrea, 6216 Broadway.	PLANNING COMMITTEE

COMMUNICATIONS**DISPOSITION**

1239. Town Attorney to Police Chief - Comments re: speed limits on county roads.	R & F
1240. Town Clerk to Zoning Board Members - Transmittal of variance petition for 12/12/91.	R & F
1241. NYSDEC to Div. of Audits and Accounts - Determination of final allowable costs for combined hazardous materials team.	R & F
1242. NYSDOT to Supervisor - Comments on maintenance of sidewalks along state highways in the Town of Lancaster.	R & F
1243. NYSDEC to Supervisor - Transmittal of Baseline Health Risk Assessment Report for Pfohl Brothers Landfill.	R & F
1244. Krehbiel Associates to Town Board - Recommend approval and acceptance of construction plans for Phase III of Stonybrook Subdivision.	TOWN ATTORNEY
1245. NYSDEC to Supervisor - Notification of proposed remedial action plan for Pfohl Brothers Landfill.	R & F
1246. NYSDOT to C. Anger - Acknowledge receipt of resident's letter requesting left turn arrows from Walden Ave. into Transit Road.	R & F
1247. Erie County Association of Chiefs of Police to Supervisor - Transmittal of Erie County Comptroller's latest audit of Intensified Police Services Contracts for period 6/30/90 to 5/31/91.	R & F
1248. NOREC to Members of NOREC - Notice of meeting 12/10/91 at Depew Municipal.	C. MILLER SUPERVISOR
1249. Building Inspector to Town Board - Approve application for dumping permit for D.. Ignasiak, 5362 William St.	R & F
Supervisor Keysa requested a suspension of the necessary rule for immediate consideration of the following communications - SUSPENSION GRANTED.	
1250. Recreation Com. Chairman to Town Board - Recreation Conference Report 11/14-17/91.	R & F
1251. Building Inspector to Town Board - Concerns re. Depew Library roof replacement.	PROJECT MANAGER
1252. Planning Board Chairman to Town Board. Minutes for meeting 11/20/91.	R & F
1253. Receiver of Taxes to Town Board - Copy of final tax settlement with Erie County.	R & F
1254. Property Manager to Supervisor - Advisement of no bids received for computer equipment.	R & F
1255. Bownansville Vol. Fire Assoc. to Supervisor - Comments regarding Lancaster and County HazMat Team.	SUPERVISOR
1256. County DE&P to Nicholas Pinto, R & D Engineering - Erie County Solid Waste Mgmt. Plan Contract.	R & F

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COMMUNICATIONSDISPOSITION

1257. Town Engineer to Town Board - Application for Dumping Permit - David B. Ignasiak, 5362 William St. - File 2178C.	PLANNING COMMITTEE _____ _____
1258. Tallamy Van Kuren Gertis & Assoc. to All-Weather Contractors, Inc. - Depew Library Roof Retrofit, New Wood Roof Rafter System Installed on West Side of Building Structural Problems.	PROJECT MANAGER _____ _____ _____
1259. All-Weather Contractors, Inc. to Tallamy Van Kuren & Associates - Contract - Depew Library Roof Retrofit New Wood Rafter System Installed on West Side of Building.	PROJECT MANAGER _____ _____ _____
1260. Town Engineer to Town Board - Recommends granting Dumping Permit to Dennis Dandrea, 6216 Broadway.	PLANNING COMMITTEE BUILDING INSPECTOR TOWN ATTORNEY _____ _____ _____
1261. Town Engineer to Pratt & Huth Associates - Letter confirming commitment to extend curb - Hillview Estates Subdivision.	R & F _____ _____
1262. Town Supervisor to Marrano/Marc Equity - Drainage problems of M/M Frank Smierciak 43 Hemlock Lane.	R & F _____ _____
1263. Mrs. Lottie Domino to Supervisor - Seeks refund of refuse fee for 5117 Transit Rd.	R & F _____ _____

ADJOURNMENT:

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD
AND CARRIED, the meeting was adjourned at 9:30 P.M. out of respect to:

Frances Kauf

Mildred Jamelsky

Stanley Bielat, Jr.

Signed Robert P. Thill
Robert P. Thill, Town Clerk

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